Dear Sir or Madam,

During the comment period for NOI 03-104, I expressed my concern regarding the RF interference potential of the proposed Broadband over Power Lines (BPL) service to radio services utilizing the 1.7 to 80 MHz frequency spectrum. Since that time this potential has been demonstrated and the threat to the other radio services is real.

I urge the FCC not to streamline the approval process for BPL. Should the FCC decide to move forward with BPL, I further urge the FCC to fully evaluate and assure that whatever BPL technology is selected it is proven not to interfere with other radio services and users of the radio spectrum.

Tests conducted by the American Radio Relay League (ARRL) in communities where various forms of BPL are currently underway have shown that it produces wideband interference signal levels capable of causing harmful interference to all users occupying the same radio frequency spectrum. These findings are indeed contrary to what the United Power Line Council (UPLC) claims. They have stated, "The UPLC is pleased to respond that there has been no interference reported in any of the field trials by its members." One only has to access the ARRL's web-site to witness BPL in the act of interfering with frequencies assigned to the Amateur Radio Service: http://www.arrl.org/tis/info/HTML/plc/

Never before has the FCC taken such a lase fare stance regarding the implementation of a new communications technology as it has with BPL. The FCC is considering streamlining BPL's implementation by removing the usual and necessary rigors associated with the approval process. It has placed the burden for proving the interference potential of BPL on the current users of the frequency spectrum. And it is also considering increasing the power levels at which BPL would operate to better accommodate its successful implementation. Other users, such as the Amateur Radio Service, do not have the funds to sufficiently counter those of the power generation industry, which seeks to offer BPL services to subscribers. The FCC's behavior in this instance is unprecedented and lacks concern for other radio services, which could be rendered useless.

If implemented as demonstrated by the filed tests and monitored by the ARRL, BPL would not be a benign co-user of the frequencies. It would cause harmful interference to current HF and low VHF spectrum users which includes the US military, emergency services such as fire departments, short wave broadcast, aeronautical mobile radio, radio astronomy, the Amateur Radio Service- just to name a few. And BPL interference may not be limited to local interference as well. Millions of miles of overhead power lines and the wiring in homes and businesses will serve as antennas radiating thousands of miles as propagation permits. The sum total will result in what is being described as a "radio fog," interfering with radio reception in areas where local BPL operation may not exist.

BPL has many current and effective internet rivals such as DSL, cable modem, dial-up, T1, and T3. These services quietly coexist

with users of the radio spectrum and are available in one form or more to nearly all homes and businesses. Does it make sense to place the entire HF and low VHF frequency spectrum in jeopardy to accommodate a single technology that will render all other users ineffective?

As I mentioned in my original comments, it is the FCC's responsibility to protect all users of the radio frequency spectrum. I ask that the FCC maintain its vigilance with regard to this responsibility and assure a non-interfering coexistence between all users of the radio spectrum.

Sincerely, Thomas Kuehl

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